
STATUTORY INSTRUMENTS

2005 No. 1981

LAND CHARGES, ENGLAND AND WALES

The Land Charges (Amendment) Rules 2005

Made - - - - *18th July 2005*

Coming into force in accordance with rule 1

The Lord Chancellor, in exercise of the powers conferred upon him by section 16(1) of the Land Charges Act 1972(1) and section 32 of, and paragraph 4(4) of Schedule 4 to, the Family Law Act 1996(2), hereby makes the following rules:

Citation and commencement

1. These rules may be cited as the Land Charges (Amendment) Rules 2005 and shall come into force on the day that paragraph 2 of Schedule 9 to the Civil Partnership Act 2004(3) comes into force.

Interpretation

2. In these rules “the principal rules” means the Land Charges Rules 1974(4).

Amendment to rule 11 of the principal rules

3.—(1) In rule 11(i) of the principal rules, for “rights of occupation” substitute “home rights”.

(2) In rule 11(ii) of the principal rules, for “section 5(1) of the Matrimonial Homes Act 1967” substitute “paragraph 4(1) of Schedule 4 to the Family Law Act 1996” and for “section 5(3)” substitute “paragraph 4(3) of that Schedule”.

Amendment to Schedule 1 to the principal rules

4. In paragraph 1(vi) of Schedule 1 to the principal rules, for “section 2(2) of the Matrimonial Homes Act 1967” substitute “section 33(5) of the Family Law Act 1996”.

(1) 1972 c. 61.

(2) 1996 c. 27.

(3) 2004 c. 33.

(4) S.I.1974/1286; no relevant amending instruments.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Amendment to Schedule 2 to the principal rules

5. For Forms K2, K8 and K13 in Schedule 2 to the principal rules, substitute respectively Forms K2, K8 and K13 in the Schedule to these rules.

Signed by authority of the Lord Chancellor

18th July 2005

Cathy Ashton
Parliamentary Under Secretary of State,
Department for Constitutional Affairs

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	Form K8 Land Charges Act 1972 (Family Law Act 1996)	Fee panel If the fee is to be debited to your credit account put a cross (X) in this box <input type="checkbox"/>												
Application for the renewal of a registration of a Land Charge of Class F Application is hereby made for the renewal of the registration of a Land Charge of Class F in respect of the following particulars.														
Enter full name(s) and address(es)	Persons entitled to benefit of the charge _____ _____ _____													
	Particulars of court order By an order of the _____ Court dated _____ and made under s.33(5) of the Family Law Act 1996 it was directed that _____ _____ _____													
Particulars of the entry to be renewed														
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I/We certify that the dwelling-house in this application is not registered at Land Registry.														
Signature of solicitor or applicant _____		Date _____												

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EXPLANATORY NOTE

(This note is not part of the Rules)

These rules amend the Land Charges Rules 1974 to take account of the Family Law Act 1996 and the Civil Partnership Act 2004.

They replace outdated references to previous legislation with references to the Family Law Act 1996, and prescribe new forms for applications to register, renew and cancel land charges relating to home rights under that Act, as amended by the Civil Partnership Act 2004.

A Regulatory Impact Assessment has been prepared and placed in the library of each House of Parliament. Copies can be obtained from the Land Registry, 32 Lincoln's Inn Fields, London WC2A 3PH.